

**REMARKS**

Claims 1-2, 4-9 and 11-24 are pending. By this Amendment, Claims 1, 7, 17, 19, 21, and 23-24 are amended, wherein Claims 17 and 21 are amended to correct a typographical error therein and Claims 1, 7, and 23-24 are amended to include portions of the subject matter recited by Claim 19. Therefore, Applicants respectfully submit no new matter is presented herein.

**Allowable Claims 21-22**

Applicants acknowledge and appreciate the indication by the Examiner that Claims 21-22, although objected to for being dependent upon a rejected base claim, would be allowable if rewritten in independent form, including all of the features recited by the base claim and any intervening claims.

**Entry of Response Proper**

Entry of this Amendment is proper under 37 C.F.R. §1.116 since the amendments: (a) place the application in condition for allowance for the reasons discussed herein; (b) do not raise any new issues requiring further search and/or consideration on the part of the Examiner since Claims 1, 7, and 23-24 have been amended to include portions of the subject matter recited by previously considered Claim 19; (c) satisfy a requirement of form asserted in the previous Office Action; (d) do not present any additional claims without canceling a corresponding number of finally rejected claims; and (e) place the application in better form for appeal, should an appeal be necessary. The Amendment is necessary and was not earlier presented because it is made in response to objections raised in the Final Rejection. Entry of the Amendment is thus respectfully requested.

**Claims 1-2, 4-9, and 11-24 Recite Allowable Subject Matter**

Claims 1, 4-7, 9, 11-20, and 23-24 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,312,335 B1 to Tosaki, et al. (hereinafter "Tosaki"), in view of U.S. Patent No. 4,521,020 to Uemura et al. (hereinafter "Uemura"), U.S. Design Patent No. D423,600 to Bagley et al. (hereinafter "Bagley"), and further in view of U.S. Patent No. 4,924,131 to Nakayama et al. (hereinafter "Nakayama"). Claims 2 and 8 are rejected under 35 U.S.C. §103(a) as being unpatentable over Tosaki in view of Uemura, Bagley and Nakayama, as applied to Claims 1, 4-7, 9, 11-20, and 23-24 above, in further view of U.S. Patent No. 6,545,661 B1 to Goschy, et al (hereinafter "Goschy"). Applicants respectfully traverse the rejections.

Independent Claims 1, 7, and 23-24 each recite a fishing game apparatus including, among other features, a fish line having a first end thereof connected to a casting rod, and casting switch means for indicating casting when the fish line is drawn. Applicants respectfully note that these features were originally presented in Claim 19.

Moreover, Applicants respectfully submit none of the applied art of record, alone or in combination, teach or suggest such features.

In particular, Applicants respectfully point out Tosaki teaches a casting rod with a separate external game processor. More importantly, Tosaki does not teach or suggest the casting rod shown in Figure 1 as having a fish line with a first end thereof connected to the casting rod, and casting switch means for indicating casting when the fish line is drawn.

Uemura teaches a game processor within a game machine main body. More importantly, Uemura does not teach or suggest a casting rod having a fish line with a first end thereof connected to the casting rod, and casting switch means for indicating casting when the fish line is drawn.

Nakayama teaches an acceleration sensor including a piezo-electric element sandwiched between a pair of opposite electrodes to form a piezo-electric device. The piezo-electric element is a disc-shaped membrane that may be made of a conventional material and is preferably made of a polymer that contains a piezo-electric substance. However, Applicants respectfully submit Nakayama does not teach or suggest a casting rod having a fish line with a first end thereof connected to the casting rod, and casting switch means for indicating casting when the fish line is drawn.

Goschy teaches a video game system having a control unit with an accelerometer for controlling the video game. However, Applicants respectfully submit Goschy does not teach or suggest the video game system includes a casting rod having a fish line with a first end thereof connected to the casting rod, and casting switch means for indicating casting when the fish line is drawn.

With respect to Bagley, Applicants respectfully note Bagley is a design patent which discloses an ornamental design for a hand held electronic game and that the Office Action asserts Bagley teaches a fishing line connected between the end of the casting rod and a second end terminating inside the casting rod. However, Applicants respectfully submit the ornamental design disclosed by Bagley fails to teach or suggest the presence of casting switch means that would indicate casting when the fish line is drawn. Moreover, Applicants respectfully submit such a functional feature cannot be

incorporated into Bagley as the reference merely discloses ornamental features of a hand held electronic game.

To establish *prima facie* obviousness, each and every feature of a rejected claim must be taught or suggested by the applied art of record. See M.P.E.P. §2143.03. As explained above, Tosaki, Uemura, Bagley, Nakayama, and Goschy, alone or in combination, do not teach or suggest each and every feature recited by Claims 1, 7 and 23-24. Accordingly, Applicants respectfully submit pending Claims 1, 7, and 23-24 are not rendered obvious by above-discussed applied art of record. Therefore, Applicants respectfully submit pending Claims 1, 7, and 23-24 should be deemed allowable.

Claims 2, 4-9, and 11-24 depend, either directly or indirectly, from Claims 1 and 7. It is respectfully submitted that these dependent claims be deemed allowable for the same reasons Claims 1 and 7 are allowable as well as for the additional subject matter recited therein.

Applicants respectfully request withdrawal of the rejections.

**Information Disclosure Statement Filed June 4, 2001**

Applicants respectfully submit an Information Disclosure Statement (IDS) was filed with the application on June 4, 2001, along with the requisite PTO Form-1449 and references cited therein. The Examiner has not initialed each reference and Applicants respectfully request that the Examiner consider the references and provide a copy of Form PTO-1449 with the Examiner's initials next to each cited reference indicating the Examiner properly considered the references. For the convenience of the Examiner, Applicants enclose herein a copy of the PTO Form-1449 for initialization upon consideration of the references cited therein.

**Conclusion**

In view of the foregoing, reconsideration of the application, withdrawal of the outstanding objection and rejections, allowance of Claims 1-2, 4-9, and 11-24, and the prompt issuance of a Notice of Allowability are respectfully solicited.

Should the Examiner believe anything further is desirable in order to place this application in better condition for allowance, the Examiner is requested to contact the undersigned at the telephone number listed below.

In the event this paper is not considered to be timely filed, the Applicants respectfully petition for an appropriate extension of time. Any fees for such an extension, together with any additional fees that may be due with respect to this paper, may be charged to counsel's Deposit Account No. 01-2300, **referencing docket number 100341-00009.**

Respectfully submitted,  
**ARENT FOX PLLC**

A handwritten signature in black ink, appearing to read 'Murat Ozgu', is written over the printed name.

Murat Ozgu  
Attorney for Applicants  
Registration No. 44,275

Customer No. 004372  
1050 Connecticut Avenue, NW, Suite 400  
Washington, DC 20036-5339  
Telephone: (202) 857-6000

CMM:MO/elp

Enclosures: Petition for Extension of Time (1 month)  
PTO Form 1449